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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

**INSTRUCTIONS FOR HOLDING REFERENDUM ON
COTTON MARKETING QUOTAS ON THE 1939 CROP**

In view of the fact that the Secretary of Agriculture has determined and proclaimed, pursuant to the provisions of section 345 of the Agricultural Adjustment Act of 1938, that the total supply of cotton for the 1938-39 marketing year exceeds by more than 7 percent the normal supply thereof for such marketing year, a referendum, by secret ballot, of farmers who were engaged in the production of cotton in 1938 will be held on December 10, 1938, pursuant to section 347 of said Act and in accordance with the regulations herein set forth, to determine whether they favor or oppose cotton marketing quotas on the 1939 cotton crop. Such quotas will be in effect unless more than one-third of the farmers voting in the referendum oppose them.

A. VOTING ELIGIBILITY

All farmers who were engaged in the production of cotton in 1938 are eligible to vote in the referendum (except as provided in the following paragraph). Any person who shared in the proceeds of the 1938 cotton crop as owner (other than a landlord of a standing-rent or fixed-rent tenant), tenant, or sharecropper shall be considered as having been engaged in the production of cotton in 1938. Farmers who planted cotton in 1938 but produced no cotton on such acreage for any reason except willful neglect to farm the planted acreage, or who made arrangements to plant cotton in 1938 but were prevented from planting by flood, excessive rainfall, or drought, shall be regarded as having been engaged in the production of cotton in 1938 and therefore eligible to vote.

Since marketing quotas are not applicable to cotton the staple of which is $1\frac{1}{2}$ inches or more in length, a person who was engaged in the production of such cotton in 1938 is not eligible to vote, unless in 1938 he was also engaged in the production of cotton the staple of which was less than $1\frac{1}{2}$ inches in length.

No farmer (whether an individual, partnership, corporation, association, or other legal entity) shall be entitled to more than one vote in the referendum, even though he may have been engaged in the production of cotton in two or more communities, counties, or States in 1938.

In the event several persons, such as husband, wife, and children, participated in the production of cotton in 1938 under a single rental or cropping agreement or lease, only the person or persons who signed or entered into the rental or cropping agreement or lease shall be eligible to vote.

In the event two or more persons engaged in producing cotton in 1938 not as members of a partnership but as tenants in common or joint tenants or as owners of community property, each such person is entitled to vote.

There shall be no voting by mail, proxy, or agent, but a duly authorized officer of a corporation, firm, association, or other legal entity or a duly authorized member of a partnership may cast its vote.

If a community referendum committee determines that a farmer residing within the jurisdiction of such committee at the time of the referendum is eligible to vote by reason of his having engaged in producing cotton in another community in 1938, the committee may issue a ballot form to him and permit him to vote, provided the committee also satisfies itself that such farmer has not previously voted in the referendum in another community. If the committee cannot so satisfy itself and the farmer insists upon voting, it shall challenge the ballot in the manner hereinafter outlined.

B. INSTRUCTIONS TO COUNTY COMMITTEE

The county agricultural conservation committee (hereinafter referred to as the county committee) shall be responsible for the proper holding of the referendum in the county and it shall:

1. Designate one readily accessible place for balloting in each community and give public notice of the time and place for balloting by posting a notice on form Cotton 301, "Notice—Cotton Marketing Quota Referendum", at one or more places open to the public within each community at least 5 days in advance of the date of the referendum.

2. Make use (without advertising expense) of all available agencies of public information, including newspapers and radio, to give cotton farmers in the county full and accurate public notice of the day and hours of voting, the location of polling places, and the rules governing eligibility to vote. Such notice should be given as soon as practicable after the plans for holding the referendum in the county have been made, but must be given at least 5 days in advance of the date of the referendum.

3. Designate three cotton farmers residing in each community as members of the community referendum committee to conduct the referendum in such community and name one of the members chairman of the committee.

4. In counties with less than 100 cotton farms the county committee may treat the county as one community for the purpose of the referendum and hold the referendum and perform the duties both of county committee and community referendum committee.

5. See that each community referendum committee is provided with a suitable ballot box.

6. Execute form Cotton 303, "Register of Eligible Voters and Ballots Cast—1939 Cotton Marketing Quota Referendum", for each community in the county, listing thereon the names and addresses of all persons who were engaged in the production of cotton in such community during 1938. If lists of such persons by communities are already available to the county committee, they may be turned over to the community referendum committees for its own preparation of form Cotton 303.

7. Deliver a supply of form Cotton 302, "1939 Cotton Marketing Quota Referendum Ballot", and form Cotton 304, "Community Summary of 1939 Cotton Marketing Quota Ballots", as well as the executed copies of Cotton 303 (or a supply of blank forms Cotton 303 and the

required list of cotton farmers in the community), to the chairman of the respective community referendum committee.

8. See to it that the community referendum committees understand their duties as to (a) issuing ballot forms, (b) recording votes, (c) tabulating ballots, and (d) certifying results of the referendum in the community.

9. See that appropriate measures are taken to insure that the referendum is conducted by secret ballot.

10. Notify the State committee by telephone, telegraph, or in person, as soon as possible after the closing of the polls, as to the preliminary count of "Yes" and "No" votes in the county.

11. Meet not later than 8:30 o'clock a. m., Monday, December 12, 1938, for the purpose of receiving and tabulating the data from forms Cotton 304 on form Cotton 305, "County Summary of 1939 Cotton Marketing Quota Ballots". Such meeting shall be open to the public. Cotton 305, showing the results in the county, shall be prepared and certified in quadruplicate, two copies of which shall be sent to the State Agricultural Conservation Committee (hereinafter referred to as State committee) not later than four calendar days after the date of the referendum, one copy posted for sixty days in a conspicuous place accessible to the public in or near the office of the county committee (hereinafter referred to as the county office), and one copy permanently filed in the county office. One copy of each executed form Cotton 304 shall be posted for sixty days in a conspicuous place accessible to the public in or near the county office.

12. Notify the State committee as soon as possible by mail (on form Cotton 305) as to the final outcome of the referendum in the county.

13. Make an investigation in each case of controversy or dispute regarding eligibility of a voter to vote in the referendum. In each case where a ballot is found in a sealed envelope marked "Challenged" by the community referendum committee and bearing the voter's name and a statement of the reason for the challenge, the eligibility of such person shall first be determined. If it is determined that such person is eligible, the ballot shall be placed with the challenged ballot of every other person found to be eligible, and when all the challenged ballots shall have been passed upon by the committee those ballots found to be valid shall be opened and tabulated in the county summary. If it is determined that such person is not eligible, the envelope shall not be opened but shall be preserved with the ballots, as provided in paragraph 15 of this section B.

14. Make an investigation in each case of dispute regarding the correctness of the summary of the referendum in a community. No dispute shall be investigated by the county committee unless it is brought to its attention within three calendar days after the date on which the referendum was held. The county committee shall promptly decide the dispute and immediately report its findings to the State committee and send by registered mail or deliver in person to the State office all voted ballots, register forms, and community summary sheets involved in the dispute.

15. Seal the voted ballots, challenged ballots found ineligible, register sheets, and community summary sheets for the county in one or more envelopes or packages (marked "Cotton Referendum 1939", followed by the name of the county) and place them under lock and key

in a safe place under the custody of the secretary of the county agricultural conservation association for a period of 60 calendar days from the date of the referendum. If no notice to the contrary is received by the end of such time, the ballots shall be destroyed and the register and community summary sheets permanently filed in the county office.

C. INSTRUCTIONS TO COMMUNITY REFERENDUM COMMITTEES

Each community referendum committee designated by the county committee shall:

1. Arrange, with the assistance of the county committee, for conducting the referendum by secret ballot.

2. Assist the county committee in giving adequate public notice of the time and place for casting ballots at least five days in advance of the date on which the referendum will be held.

3. Provide a place where each eligible farmer can prepare and cast a ballot in secret and without interference.

4. Provide a ballot box. Any container so arranged that ballots cannot be seen and cannot be removed without breaking seals on the container will be suitable. If strip adhesive paper or similar seals are used, such seals should be signed or initialed so that breaking or replacing the seal will affect or destroy the identifying marks and show that the seal has been tampered with.

5. Open the polls not later than 9 o'clock a. m., local standard time, on Saturday, December 10, 1938.

6. Hold the referendum in a fair and unbiased manner and see that appropriate measures are taken to insure that it is conducted by secret ballot.

7. See that no device is used whereby any voter's ballot may be identified (except in the case of a challenged ballot), and instruct each voter as he is handed a ballot form as to the procedure to be followed in casting his ballot and to fold his ballot before he places it in the ballot box after he has marked it to show which way he votes.

8. Issue a ballot to each person who is eligible to vote and to each person who claims to be eligible to vote and insists upon voting even though his eligibility is challenged by the committee. Every unchallenged ballot shall be placed in the ballot box by the person who voted it. In every case where the eligibility of the voter is challenged, his ballot, after being marked by the challenged person, shall be placed (by him, or by the committee if he refuses) in an envelope and shall be sealed and marked with his name, and the word "Challenged", and a statement of the reason for the challenge, and the envelope shall then be placed in the ballot box. The letter "C" shall be entered with a red pencil on form Cotton 303 immediately to the left of the name of each person whose vote is challenged.

9. Record on form Cotton 303 the name and address of each farmer to whom a ballot form is issued if he is not already listed thereon prior to the time the ballot form is issued to him.

10. Enter an "X" in the designated column on form Cotton 303 beside the name and address of each farmer to whom a ballot form is issued and who places his ballot in the ballot box (whether or not his ballot is challenged).

11. Close the polls and discontinue acceptance of ballots at 5 o'clock p. m., local standard time (unless a later hour is fixed by the State committee) on the date of the referendum.

12. Immediately after closing the polls, open the ballot box and canvass the ballots cast, which canvass shall be kept open to the public.

13. Tabulate and record the results of the referendum on form Cotton 304. The number of challenged ballots cast shall be entered on form Cotton 304 in the space provided and will not, of course, be shown as being either for or against the marketing quotas. If any ballot is found to be mutilated or marked in such a way so that it cannot be determined whether the voter approved or opposed the marketing quotas, it shall not be counted as a ballot cast but the number of such spoiled ballots shall be entered in the space provided, and such ballots placed in an envelope marked "Spoiled Ballots", followed by the designation of the community.

14. Certify to the accuracy of the executed forms Cotton 303 and Cotton 304 by signing in the spaces provided.

15. Notify the county committee by telephone or in person as soon as possible after the closing of the polls as to the preliminary count of "Yes" and "No" votes in the community.

16. Seal the voted ballots (including those challenged), the spoiled ballots, the register sheet, and the community summary in one or more envelopes appropriately identified by the designation of the community and deliver them to the county committee not later than 8:30 o'clock a. m., Monday, December 12, 1938, with the unused ballot and other forms. The chairman of the community referendum committee shall be responsible for the safe delivery of such reports, ballots, and forms to the county committee.

17. Post an executed copy of form Cotton 304, as soon as it is executed, at a conspicuous place at the polling place and see that it remains posted and accessible to the public for at least three calendar days after the date of the holding of the referendum.

D. INSTRUCTIONS TO STATE COMMITTEE

The State committee shall be in charge of and responsible for the conducting of the referendum in the State and shall:

1. Notify the applicable Regional Director by telegraph as to the preliminary count in the State of votes for and votes against marketing quotas.

2. Summarize on form Cotton 306, "State Tabulation of 1939 Cotton Marketing Quota Ballots", the information contained on the forms Cotton 305 reported to it and forward via air mail special delivery two fully executed forms Cotton 306 to the applicable Regional Director, Agricultural Adjustment Administration, Washington, D. C., not later than 7 calendar days after the date of the referendum. If one sheet proves insufficient for listing the information with respect to all counties in the State, additional sheets properly numbered and identified and securely attached to the first sheet may be used for continuation, in which case totals and signatures should be entered only on the last sheet. One fully executed copy of each form Cotton 305 and form Cotton 306 shall be permanently filed in the State office of the Agricultural Adjustment Administration.

3. Complete the investigation of any report from any county regarding controversies, irregularities, or the correctness of summaries of the referendum, not later than 10 calendar days after the date of the referendum, and forward its findings in such cases to the applicable Regional Director.

E. RESULTS OF REFERENDUM

Final and official tabulation of the votes cast in the referendum will be made by the Agricultural Adjustment Administration and the result of the referendum announced by the Secretary of Agriculture. The reports on Cotton 306 and related papers shall be permanently filed with such tabulation and shall remain available for public inspection.

Each county committee is authorized to give out unofficial reports of the total "Yes" and total "No" votes in its county to the public press and to other inquirers. The State committee is authorized to release to the press and other inquirers the unofficial results of the referendum for the respective State by counties as rapidly as the votes in the various counties are tabulated.

If the Administrator of the Agricultural Adjustment Administration or the Secretary of Agriculture deems it necessary, the report of any community referendum committee, county committee, or State committee shall be reexamined and checked by such persons or agencies as may be designated.

Done at Washington, D. C., this 10th day of November, 1938. Witness my hand and the seal of the Department of Agriculture.



H Wallace
Secretary of Agriculture.

